

HOUSE BILL REPORT

ESB 5089

As Passed House:

April 14, 2005

Title: An act relating to reducing nuisance noise from off-road vehicles.

Brief Description: Creating a task force to study off-road vehicle noise management.

Sponsors: By Senators Sheldon, Fraser and Kline.

Brief History:

Committee Activity:

Natural Resources, Ecology & Parks: 4/1/05 [DP].

Floor Activity:

Passed House: 4/14/05, 90-6.

Brief Summary of Engrossed Bill

- Creates a legislative task force on off-road vehicle noise management.

HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS

Majority Report: Do pass. Signed by 7 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Blake, Dickerson, Eickmeyer, Hunt and Williams.

Minority Report: Do not pass. Signed by 4 members: Representatives Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; DeBolt and Orcutt.

Staff: Jason Callahan (786-7117).

Background:

The operators of a non-highway vehicle can be cited for a traffic violation for a number of reasons. These reasons include operating a vehicle in a manner that endangers another's property, not having proper lighting when on property not belonging to the owner, running the vehicle without a spark arrester, and driving in a manner that injures or destroys trees or other vegetation.

An operator can also be cited for a traffic violation if the muffler on the non-highway vehicle does not meet set standards. Mufflers for these vehicles must operate at a noise level of less than 87 decibels as measured on a scale set by the Society of Automotive engineers (SAE). If an SAE test is not available, then the muffler must not emit a noise louder than 105 decibels.

when measured at a 45-degree angle and 20 inches away from the exhaust pipe of a stationary non-highway vehicle running at one half of the vehicle's maximum allowable engine speed.

Traffic infractions for non-highway vehicles are punishable by a fine of not less than \$25.

Summary of Bill:

A task force on off-road vehicle noise management is created. The task force consists of four members of the House of Representatives and four members of the State Senate. Additional participants may be invited by the legislative members. These participants include representatives of:

- county commissions.
- port districts.
- the Department of Natural Resources.
- the Department of Ecology.
- the Interagency Committee for Outdoor Recreation.
- the Parks and Recreation Commission.
- off-road vehicle manufacturers.
- the U.S. Forest Service.
- recreational users.
- interested citizens.

The task force is instructed to focus on the enforceability of current off-road vehicle decibel levels, the appropriateness of off-road vehicle usage requirements, the applicability of local noise ordinances, and the barriers to using public lands to create off-road vehicle riding opportunities.

Recommendations of group, in the form of draft legislation, is due to the Legislature by December 1, 2005.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.